

PATENT COOPERATION TREATY
PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Translation

Applicant's or agent's file reference FWA3-05	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP03/05952	International filing date (day/month/year) 13 May 2003 (13.05.03)	Priority date (day/month/year) 14 May 2002 (14.05.02)
International Patent Classification (IPC) or national classification and IPC B43K 8/04, 5/12, 5/18, 7/06, 7/10		
Applicant MITSUBISHI PENCIL KABUSHIKI KAISHA		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

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Date of submission of the demand 18 September 2003 (18.09.03)	Date of completion of this report 31 October 2003 (31.10.2003)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

PCT/JP03/05952

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-20	YES
	Claims		NO
Inventive step (IS)	Claims	1-20	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims		NO

2. Citations and explanations

- Document 1: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 83366/1980 (Laid-open No. 6581/1982), (Ogawa Kako Kabushiki Kaisha), 13 January 1982, entire text, all drawings
- Document 2: JP 58-138699 A (Taizo TOGASHI), 17 August 1983, entire text, all drawings
- Document 3: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 107685/1982 (Laid-open No. 12684/1984), (Pentel Co., Ltd.), 26 January 1984, entire text, all drawings
- Document 4: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 25407/1980 (Laid-open No. 128283/1981), (Pilot Corp.), 29 September 1981, entire text, all drawings
- Document 5: GB 2114065 A (Scribex SA), 17 August 1983, entire text, all drawings

Claims 1 and 2

Documents 1-5 cited in the international search report do not disclose the following feature of the

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invention set forth in claims 1 and 2:
the feature wherein the ink that has been impregnated into an ink storing body is supplied to the tip of the pen via a visible ink guide tube, and signs that the ink is running out can be confirmed by visually inspecting the abovementioned ink guide tube via a visual confirmation section, which is formed in the barrel.

Furthermore, this feature cannot be said to be obvious to a person skilled in the art in the light of the documents that are cited in the international search report.

Therefore, the invention set forth in claims 1 and 2 is novel and involves an inventive step.

Claims 3-20

Claims 3-20 include all of the characteristics that are set forth in claim 1 or claim 2.

Therefore, the inventions set forth in claims 3-20 are novel and involve an inventive step for the aforementioned reasons indicated in relation to claims 1 and 2.